

Re: DUTKA; App. No. 10/032,426, filed 12-31-01.

ELECTION OF SPECIES:

Applicant selects the species of Fig. 1 as the invention to be examined. This species is generic, and includes all claims except Claims 7, 8, 19, 33 and 34. The remaining thirty claims read on the species of Fig. 1 and should be examined. The five claims that are not drawn to the elected species are all in dependent form. We request that, if the generic claim is allowed, the claims excluded here be re-examined, in light of the allowance of the generic claim.

INVENTORSHIP:

All of the inventors listed on the original application contributed to the elected species. Therefore, no change in inventorship is warranted.

REMARKS:

Notwithstanding the election of species made in response to the Office Action, we do not believe that the election requirement is justified.

The generic invention, shown in Fig. 1, is a device for washing or rinsing small items, powered by a stream of water. It was originally conceived that the device would be used for rinsing rice before cooking, and that water power would be provided by running water from the faucet in a kitchen sink. The device could also be used for other food and nonfood applications. The apparatus comprises a vessel with a chamber mounted toward its front and with a floor higher than the floor of the main chamber of the vessel. The vessel sits on a stand, with contact only at three points; two pins received in recessed channels to define the diameter of the vessel and a stopper supporting the rear of the vessel. While sitting on the stand, the vessel can rotate in a direction that allows water that has run into the vessel (from the faucet) and be emptied when

sufficient water has entered the vessel to make it front-heavy. When the vessel is empty, a weighted handle at the rear of the vessel causes it to rotate in the opposite direction. Rotation continues until the stopper on the stand contacts the rear portion of the vessel. The vessel has then returned to horizontal orientation, ready to receive more water. This process continues without human intervention until the operator terminates it by turning off the water manually and emptying any water remaining in the vessel.

The three nonelected species are very similar to the elected species, and the deviations from the elected species are very slight. All species operate in the identical manner, with rinsing accomplished by the continual and iterative addition of water to the vessel and emptying of such water when the vessel has received a certain amount of water. In each of the nonelected species, there is only a minute difference between each of the nonelected species and the elected species. In fact, each of the nonelected species is merely a different embodiment of the invention.

In the species shown in Fig. 5, a spring is used to return the vessel to a horizontal position after the water that had entered it has been emptied. In the elected species, this is accomplished by adding weight to the handle at the rear of the vessel. In the embodiment shown in Fig. 5, the handle does not have to be weighted, and its only function is to provide a means for holding the vessel when moving it. The spring is stretched when water enters the vessel, and tension thus imparted to the spring pulls the rear portion of the vessel downward after the water has been emptied from the vessel. This is identical to the operation of the elected species. Moreover, there is only one difference between the structure of the stand used in the species of Fig. 5 and that of the elected species. In the stand in the species of Fig. 5, there is a crossbar 52, positioned between members 16 and 16'. Crossbar 52 is added to provide a means for attaching the spring to the stand, although it could also be used in the elected species to add additional structural support to the stand. Otherwise, the species shown in Fig. 5 is no different from the elected species.

The species shown in Fig. 7 is also very similar to the elected species. In the elected species, rotation of the vessel is accomplished by having recessed channels on the vessel positioned to cover pins extending inward from the stand, at apical points of triangles formed by members on the stand, with the pins situated at the correct height to allow rotation of the vessel for the purpose of emptying water that has accumulated therein. The only difference in the species in Fig. 7 is that the pins are located on the vessel, rather than on the stand. Rotation occurs on pins in either species, either on a recessed channel attached to the vessel, or on cradle-like structures on the stand. In both species, the pins are located at the same height and allow rotation of the vessel in the identical manner. We believe that pins could just as easily be located on the vessel as on the stand. Once one has been conceived, the other is obvious. In all other respects, the vessel and stand shown in Fig. 7 are the same as in the elected species.

The species shown in Fig. 8 is identical to the elected species, except for the shape of the vessel. All aspects of operation are the same, and the stand is identical. In the elected species, the vessel comprises a main chamber and a smaller chamber, mounted upwardly and to the front of the main chamber. This arrangement allows the center of gravity of the vessel to be moved in a frontward direction, when sufficient water has accumulated in it. Looking at the view in Fig. 1, the profile of the vessel shows the front extension chamber protruding in a frontward direction from the main chamber. In the species shown in Fig. 8, the front of the vessel is tapered, giving the vessel a trapezoidal shape in cross-section. The purpose is, again, to allow the center of gravity to move in a frontward direction when sufficient water has accumulated in the vessel. The operation of the two species is identical, and the stand is identical for both. Only the shape of the vessel has been slightly changed. In effect, this change is more stylistic in nature (although it could possibly facilitate manufacture of the vessel), than functional. We believe that it follows obviously from the elected species.